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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/032,423 | 12/31/2001 | Janette Lazarovits | 10793/45 | 8825 |
| 26646 | 7590 | 04/15/2005 | EXAMINER | |
| KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004 | | | CANELLA, KAREN A | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1642 | |

DATE MAILED: 04/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

10/032,423

EXAMINER

ART UNIT

PAPER

20050405

DATE MAILED:

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Commissioner for Patents

The amendment filed January 18, 2005 as the third Preliminary Amendment will not be entered because a Preliminary Amendment may only be entered before the First Action on the Merits. In the instant case, the First Action was mailed on January 3, 2005, and therefore pre-dates the submission filed on January 18, 2005.

Applicant is reminded that the statutory period for response as set forth in the Office action mailed January 3, 2005 is still pending.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Canella whose telephone number is (571) 272 0828. The examiner can normally be reached on Monday, Tuesday and Thursday from 10:00 am to 8 pm. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Siew, can be reached on (571) 272 0787. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308 0196.

Karen A. Canella, Ph.D.
April 11, 2005.


KARENA CANELLA PH.D
PRIMARY EXAMINER

